

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/796,431

Examiner: Jastrzab, Krisanne Marie

Applicant(s): Avant

Art Unit: 1744

Filed: March 9, 2004

Customer No.: 36754

Title: HANDLING POTENTIALLY  
CONTAMINATED MAIL

Confirmation No.: 1868

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT FILED UNDER 37 CFR § 1.116**

Dear Sir:

Responsive to the Office Action mailed April 14, 2006, and further to a telephonic interview conducted with the Examiner on July 11, 2006, the Applicant provides the following:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this paper. Remarks begin on page 10 of this paper.

Amendments to the Drawings begin on page 9 of this paper and includes an attached replacement sheet.

The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment, to Deposit Account 502509.

In the event that an extension of time is required or may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account 502509.

**Amendments To The Specification**

**Please replace paragraph [0019] with the following amended paragraph:**

[0019] According to the invention, it is suggested to use resealable bags (liners) in receptacles for collecting or depositing items for delivery to another. These receptacles would include collection boxes and chutes in office building lobbies, delivery company lobbies, in pack and send lobbies, or in post office lobbies. When the delivery items are to be collected from the receptacle, the bag is hermetically sealed by the mechanical opening action of the receptacle. The delivery person or letter carrier removes and locks the sealed collection bag and re-installs an empty bag ~~[[and]]~~ at the collection point.

**Please reinstate paragraph [0024] to the original text as provided in the application filed March 9, 2004:**

[0024] Figure 2a is a top view of the rails used to affix a liner bag to the interior of a mailbox.

**Please replace paragraph [0030] with the following amended paragraph:**

[0030] Referring to figure FIG. 1 there is shown a schematic view of a biohazard isolating bag positioned inside a postal mailbox. Mailbox 10 is a conventional postal mailbox. Such a mailbox is typically rectangular in vertical profile and square or rectangular in horizontal profile although other configurations are possible. Mailbox 10 includes deposit door 20. Mailbox 10 also includes an access door, not shown, ~~at the rear of the mailbox 10 a non-public~~

~~access means, such as a door,~~ through which a postal worker accesses the contents of mailbox

10. As is customary, mailbox 10 defines an interior space and an exterior space. When rectangular in shape, mailbox 10 includes four walls a top and bottom.

**Amendments To The Claims**

Claim 1 (Currently Amended): A mail decontamination method comprising:

- isolating the interior of a flexible bag from gaseous communication with the ambient while the flexible bag is within a mailbag inside a public mailbox;
- exhausting gas from the interior of the flexible bag to the exterior of the flexible bag through:
  - a first valve in the flexible bag; and
  - a filter;
- determining the presence of a biohazard deposited in the filter by the exhausted gas ~~and a decontaminate therefor; and~~
- selecting a decontaminant based on the presence of the biohazard detected in said determining step; and
- introducing the ~~decontaminate~~ decontaminant through a second valve in the flexible bag into the interior of the flexible bag.

Claim 2 (Previously Presented): The method as defined in Claim 1 wherein said biohazard is a microbe.

Claim 3 (Canceled): Please cancel claim 3.

Claim 4 (Previously Presented): The method as defined in Claim 3, further comprising exhausting gas from the interior of the flexible bag to the exterior of the flexible bag through the first valve after a predetermined time that is sufficient to decontaminate the biohazard.

Claim 5 (Previously Presented): The method as defined in Claim 1, wherein the filter is removably attached to the first valve.

Claim 6 (Currently Amended): The method as defined in Claim 1 wherein the ~~decontaminate~~ decontaminant is selected from the group consisting of chlorine dioxide gas and potassium bromide gas.

Claim 7 (Currently Amended): The method as defined in Claim 4, after the introducing of the ~~decontaminate~~ decontaminant, further comprising neutralizing the ~~decontaminate~~ decontaminant within the flexible bag.

Claim 8 (Previously Presented): The method as defined in Claim 1, wherein the exhausting gas further comprises:

forming a negative atmospheric pressure within the flexible bag; and  
introducing gas, via a third valve in the flexible bag, into the negative atmospheric pressure of the flexible bag.

Claim 9 (Previously Presented): The method as defined in Claim 1, wherein said isolating further comprises sealing the flexible bag with a resealable closure part of the flexible bag.

Claim 10 (Previously Presented): The method as defined in Claim 9, wherein the resealable closure part of the flexible bag is a double sealing mechanism.

Claim 11 (Previously Presented): The method as defined in Claim 9, wherein:  
the resealable closure part of the flexible bag comprises mutually engaging ridges; and  
the method further comprises engaging the mutually engaging ridges by pressure exerted upon same by a clamp translating the length of the mutually engaging ridges.

Claim 12 (Previously Presented): The method as defined in Claim 11, wherein the engaging the mutually engaging ridges by pressure exerted upon same by a clamp translating the length of the mutually engaging ridges further comprises pulling the clamp with a cord.

Claim 13 (Previously Presented): A method as defined in Claim 12, wherein the cord extends from the clamp to outside of the public mailbox.

Claim 14 (Currently Amended): The method comprising:

sealing ~~the~~ a flexible bag with a resealable closure part of the flexible bag to isolate the interior of a flexible bag from gaseous communication with the ambient;

forming a negative atmospheric pressure within the flexible bag by exhausting gas from the interior of the flexible bag to the exterior of the flexible bag through:

a first valve in the flexible bag; and

a filter;

determining the presence of a biohazard deposited in the filter by the exhausted gas ~~and a decontaminate therefore~~;

selecting a decontaminant based on the presence of the biohazard detected in said determining step; and

introducing the ~~decontaminate~~ decontaminant through a second valve in the flexible bag into the interior of the flexible bag;

introducing gas, via a third valve in the flexible bag, into the negative atmospheric pressure of the flexible bag; and

unsealing the flexible bag with the resealable closure part of the flexible bag for exposure to the ambient.

Claim 15 (Currently Amended): The method as defined in Claim 14, prior to said unsealing the flexible bag, further comprising neutralizing the ~~decontaminate~~ decontaminant within the flexible bag.

Claim 16 (Previously Presented): The method as defined in Claim 14 wherein:  
the resealable closure part of the flexible bag comprises mutually engaging ridges; and  
the method further comprises engaging the mutually engaging ridges by pressure exerted upon same by a clamp translating the length of the mutually engaging ridges.

Claim 17 (Previously Presented): The method as defined in Claim 16, wherein the engaging the mutually engaging ridges by pressure exerted upon same by a clamp translating the length of the mutually engaging ridges further comprises pulling the clamp with a cord.

Claim 18 (Currently Amended): The method as defined in Claim 17, wherein the cord extends from the clamp to outside of ~~the~~ a public mailbox.

Claim 19 (Currently Amended): A mail decontamination method comprising:  
sealing ~~the~~ a flexible bag with a plurality of sealing mechanisms integral to the flexible bag to isolate the interior of a flexible bag from gaseous communication with the ambient while the flexible bag is within a mailbag inside a public mailbox;  
forming a negative atmospheric pressure within the flexible bag by exhausting gas from the interior of the flexible bag to the exterior of the flexible bag through:  
a first valve in the flexible bag; and  
a filter;  
determining the presence of a biohazard deposited in the filter by the exhausted gas and a ~~decontaminate~~ decontaminant therefor; and

determining the presence of a biohazard deposited in the filter by the exhausted gas and a decontaminate therefor; and ;

selecting a decontaminant based on the presence of the biohazard detected in said determining step;

introducing the ~~decontaminate~~ decontaminant through a second valve in the flexible bag into the interior of the flexible bag;

introducing gas, via a third valve in the flexible bag, into the negative atmospheric pressure of the flexible bag; and

unsealing the plurality of sealing mechanisms for exposure to the ambient to provide access to any mail in the flexible bag.

Claim 20 (Previously Presented): The method as defined in Claim 19, wherein:

each said sealing mechanism comprises mutually engaging ridges; and

the sealing comprises engaging the mutually engaging ridges of each said sealing mechanism by pressure exerted upon same by respective clamps translating the length of the mutually engaging ridges of each said sealing mechanism.



**Amendments To The Drawings**

Drawings are not approved because the recitation of "Non-public access door" added to Fig. 1 is considered in the Office Action as new matter in conjunction with the objections listed for Specification above. To resolve the objection, in conformance with the approach discussed in the telephonic interview of July 11, 2006, the Applicants have removed the wording "Non-public access door" and have deleted the box and arrow that were added on the previous replacement sheet for FIG 1. The attached sheet now replaces the original sheet 1.

Attachment: Replacement Sheet

**REMARKS**

The specification, claims and drawings have been amended without adding new matter in order to correct minor informalities and to address other issues raised by the Examiner.

Claims 1, 3, 6-7, 14-15, 18, and 19 have been amended.

Claim 3 has been canceled without regard to prejudice or disclaimer.

Nineteen claims remain pending in the application: Claims 1-2, and 4-20.

Reconsideration of the claims in view of the amendments above and the remarks below, is respectfully requested.

Initially, Applicant acknowledges with appreciation the Examiner's willingness to take part in the telephonic interview on July 11, 2006.

Applicant acknowledges with appreciation the Examiner stating that the rejections of Claims 1-6 have been withdrawn.

By way of this amendment, Applicant has made a diligent effort to place the claims in condition for allowance in accordance with the agreement reached with the Examiner on July 11, 2006. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned at (602) 262-5355 so that such issues may be resolved as expeditiously as possible.

**Summary of Applicant Initiated Examiner Interview**

1. In accordance with 37 CFR § 133(b), the following is a brief summary of the Examiner interview conducted 7/11/06 at 1:00 Eastern Daylight Time via telephone between Lucius L. Lockwood, Attorney of Record, and Examiner Krisanne Jastrzab:

Power of Attorney. The Examiner pointed out that the papers previously filed to update the Power of Attorney and correspondence address were not accepted by the USPTO, and the issue requires resolution. (Please see attached to this paper a printout of Public Pair dated July 14, 2006 showing that the USPTO has updated the attorney of record and correspondence address to Lewis and Roca LLP, and the executed Power of Attorney and Statement under 37 CFR § 3.73(b)).

Specification. Paragraphs [0019], [0024], and [0030] were discussed, and amendments have been made (see above) consistent with the agreement reached in the interview. The agreed-upon changes overcome the objections to the specification.

Drawings. The Applicant and Examiner agreed upon a modification as described above to overcome the objections to the drawings.

Claims. The Applicant proposed to amend claims in a manner consistent with the issues addressed in the Office Action regarding rejections under 35 U.S.C. § 112, and proposed to cancel Claim 3. Text of the proposed changes in each of these instances was provided to the Examiner for review during the Interview, and it was agreed that amendments in accordance with those discussed in the interview would place the claims in condition for allowance. (The changes discussed in the Interview are reflected in the amended claim listing provided for above.)

### **Specification**

2. The specification is objected to with regard to the Amendment filed February 7, 2006. The Office Action mailed 4/14/2006 states that the Amendment introduced new matter into the disclosure which was not supported by the original disclosure particularly with paragraphs 0019 and 0024. It is also noted that some of the changes were not underlined as properly required.

Replacement paragraphs have been included above, providing changes as agreed to in the telephonic interview with the Examiner on 7/11/06. As the agreed-to changes address the items address in the Office Action, the objections to the specification have been overcome and the application is in condition for allowance.

### **Drawings**

3. The Drawings are not approved because the Office Action states that the recitation of "Non-public access door" added to Fig. 1 is considered new matter in conjunction with the objections listed for Specification above.

A replacement sheet for Fig. 1 is included with this paper, and as agreed to in the telephonic interview of 7/11/06, the wording "Non-public access door", the box that contains the text and the attached arrow were deleted from the new replacement sheet for FIG 1.

### **Claim Rejections - 35 U.S.C. §112**

4. Claims 1-20 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Consistent with the agreement reached in the telephonic interview of 7/11/06, Claims 1,

6-7, 14-15, 18, 19 are amended to address the rejections raised in the Office Action. Claim 3 is canceled.

Claims 1, 6-7, and 14-15 are amended for formality reasons to change the word "decontaminate" to "decontaminant." The Applicants thank the Examiner for pointing out the typographical error.

Revisions were made to claims 1, 14, and 19 to more particularly point out and distinctly claim the subject matter cited in accordance with the agreement reached in the telephonic interview. Support for these changes is provided for at least in the first three sentences of paragraph [0059] of the Specification.

Claims 14, 18, and 19 are amended to correct typographical antecedent issues.

With the agreed-to amendments shown above, and further to the agreement for allowability reached in the telephonic interview of 7/11/06, the objections have been overcome and the amended claims are in condition for allowance.

**CONCLUSION**

Applicants submit that the above amendments and remarks place the pending claims in a condition for allowance, as per the agreement reached in the July 11, 2006 interview. Therefore, a Notice of Allowance with any appropriate Examiner's Amendments is respectfully requested.

Respectfully submitted,



Dated: July 14, 2006

Lucius L. Lockwood  
Reg. No. 53,231  
Attorney for Applicant(s)  
(602) 262-5355

Address all correspondence to:  
LEWIS AND ROCA LLP  
Phoenix Office  
40 North Central Avenue  
Phoenix, Arizona 85004-4429

Direct telephone inquiries to:  
Lucius L. Lockwood  
(602) 262-5355

Attachments:

1. Private PAIR printout dated 7/14/06 showing correct Attorney of Record and Correspondence Address
2. Power of Attorney and Statement under 37 CFR 3.73(b)
3. Replacement drawing sheet for Sheet 1 (Figure 1).

Search results as of: 07-14-2006::17:29:40 E.T.

**Attorney/Agent Correspondence Information****Correspondence Address**

Name: LEWIS AND ROCA LLP  
40 N. CENTRAL AVENUE  
Address: PHOENIX AZ 85004  
UNITED STATES (US)

**Attorney/Agent Information**

Reg #	Name	Phone
34521	DeSandro, Bradley	602-262-5311
53231	Lockwood, Lucius	602-262-5355
57996	Mowzoon, May	602-262-5727

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**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	10/796,431
Filing Date	March 9, 2004
First Named Inventor	Avant
Title	Handling Potentially Contaminated
Art Unit	1744
Examiner Name	Krisanne Jastrzeb
Attorney Docket Number	38494-00146D

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☒ Practitioners associated with the Customer Number:

36754

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

☐ Firm or Individual Name

Address

City

Country

Telephone

State

Zip

Fax

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Signature	<i>William R. Gilligan, Jr.</i>	Date	07-13-06
Name	William R. Gilligan, Jr.	Telephone	202-268-3006
Title and Company	Deputy General Counsel, United States Postal Service		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ \*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Oscar Lee Avant

Application No./Patent No./Control No.: 10/796 431

Filed/Issue Date: March 9, 2004

Entitled: **HANDLING POTENTIALLY CONTAMINATED MAIL**

United States Postal Service

(Name of Assignee)

, a Government Agency

states that it is:

(Type of Assignee: corporation, partnership, university, government agency, etc.)

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 015161, Frame 0639, or a true copy of the original assignment is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

William R. Gilligan, Jr.

Signature

William R. Gilligan, Jr.

Printed or Typed Name

Deputy General Counsel

Title

07-13-06

Date

202-268-3006

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.